



Public Notice

**US ARMY CORPS
OF ENGINEERS**
St. Louis District
Gateway to Excellence

Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, Missouri 63103-2833

Public Notice No.

[P-2551](#)

Public Notice Date

June 7, 2006

Expiration Date

June 27, 2006

Postmaster Please Post Conspicuously Until:

This letter replaces the Public Notice dated May 15, 2006. The replacement of the Public Notice is due to modifications to the impacts upon the stream channel.

File Number: 2005-45330

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Ms. Jennifer Godfrey

APPLICANT: WP Builders LLC, Mr. Lee Walls, 3829 Old Hwy 94 South, St. Peters, Missouri, 63376.

AGENT: Terra Technologies, Inc., Mr. John Mital, 907 Fee Fee Road, Maryland Heights, Missouri, 63043. Ph. 314-434-1550

LOCATION: The project area is located off of Lilac Avenue, approximately 0.5 miles south of the intersection of Lilac Avenue and U.S. Highway I-270, in Bellefontaine Neighbors, Missouri. Residential development borders the site to the south and west and Watkins Creek comprises the northern border of the site. The location is identified on the attached maps.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations in waters of the United States in conjunction with the development of attached villa housing known as Richland Manor. Jurisdictional waters on the site consist of two unnamed tributaries to Watkins Creek, identified as Tributary A and Tributary B on the attached map. Tributary A originates south of the site and flows north for approximately 1092 lineal feet on site before it enters

Watkins Creek. Tributary B also originates from the south and flows northwest for approximately 508 lineal feet on site before it's confluence with Tributary A. The project proposes to impact a total of 516 lineal feet of Tributary A and 345 lineal feet of Tributary B. Of the 516 lineal feet of impact to Tributary A, approximately 314 lineal feet is proposed to be piped and the remaining 202 lineal feet is proposed to be relocated. Of the 345 lineal feet of impact to Tributary B, approximately 266 lineal feet is proposed to be piped and the remaining 79 lineal feet is proposed to be relocated. Total proposed impacts to jurisdictional waters are 861 lineal feet of unnamed tributary to Watkins Creek. Proposed impacts are depicted on the attached map. The applicant is preparing a mitigation plan for the proposed tributary impacts.

LOCATION MAPS AND DRAWINGS: See attached. Maps are also available for viewing on our online version of this Public Notice which may be accessed through the St. Louis District Regulatory Branch Public Notice webpage at the at the following link:

<http://www.mvs.usace.army.mil/permits/pn.htm>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Ms. Jennifer Godfrey, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8579. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to jennifer.l.godfrey@mvs02.usace.army.mil.

AUTHORITY: This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Mr. Refaat Mefrakis, Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of the issuance of this notice.





